

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NORTH CAROLINA
EASTERN DIVISION
No. 4:20-CR-88-1FL

UNITED STATES OF AMERICA

v.

TRAVIS HARVEY,

Defendant.

)
)
)
)
)
)
)

ORDER

This matter is before the court for preliminary examination of the government's motion for revocation of Defendant's supervised release and for hearing on the government's oral motion to detain Defendant pursuant to 18 U.S.C. § 3143 and Rule 32.1(a)(6) of the Federal Rules of Criminal Procedure. A hearing was held in this matter on February 10, 2021, at which Defendant appeared and was represented by Assistant Federal Defender Kimberly Moore, and the government was represented by AUSA Brandon Boykin. The matter was continued until February 18, 2021, to give defense counsel additional time to explore the possibility of inpatient substance use treatment for Defendant.

When the matter came on for hearing on February 18, 2021, Defendant became belligerent, asserting that he was being punished twice and was not amenable to inpatient substance use therapy. He then left the video conference room of the detention facility in which he is being temporarily housed, thereby absenting himself from the remainder of the hearing.

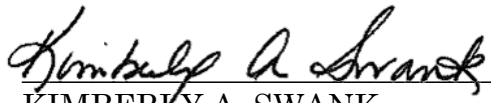
The court orally stated findings and conclusions, all of which are hereby incorporated by reference. The court restates in writing the following findings and conclusions of the court:

1. That probable cause exists to believe that Defendant violated the terms of supervised release by using a controlled substance as alleged in the government's motion for revocation filed on January 27, 2021; and

2. That Defendant has failed to establish by clear and convincing evidence that he will not pose a risk of flight or a danger to others if released. The court's determination in this regard is based upon the following factors or reasons: the nature and circumstances of the alleged violations; the lack of a suitable release plan; Defendant's criminal history; and any other findings or reasons stated in open court.

Accordingly, the court hereby ORDERS that Defendant be committed to the custody of the Attorney General or a designated representative to be detained pursuant to 18 U.S.C. § 3143(a)(1) pending his revocation hearing.

This 5th day of March 2021.


KIMBERLY A. SWANK
United States Magistrate Judge